

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.754, CUTTACK, THURSDAY, MARCH 27, 2025/ CHAITRA 6, 1947

HOUSING & URBAN DEVELOPMENT DEPARTMENT

NOTIFICATION

The 20th March, 2025

No.6561—HUD-SANT-MISC-0023/2024/HUD.— WHEREAS, the Parliament had passed the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 (46 of 1993) in pursuance of Clause (1) of Article 252 of the Constitution which was assented to by the President of India on dated 15th June 1993;

AND, WHEREAS, in exercise of the powers conferred by Clause (1) of Article 252 of the Constitution, the Odisha Legislative Assembly had resolved to adopt the said Act in the State of Odisha in its meeting held on dated 25th July, 1994;

AND, WHEREAS, the Resolution as passed by the Odisha Legislative Assembly was published in the *Odisha Gazette* Notification No.1100, dated the 15th September, 1994 for general information;

AND, WHEREAS, The Parliament has subsequently enacted “The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 (25 of 2013) encompassing the provisions of the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act 1993;

AND, WHEREAS, the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 has been published in the Extraordinary *Odisha Gazette* No.680, dated the 21st April, 2024 for general information;

AND, WHEREAS, after publication of the “Employment as Manual Scavengers and their Rehabilitation Act, 2013”, the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act 1993 has become redundant;

AND, WHEREAS, the Ministry of Social Justice and Empowerment, Government of India has initiated the process for repeal of the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act 1993 which has become redundant and has requested the State Government to bring the matter before the State Legislature;

AND, WHEREAS in exercise of the powers conferred by clause (2) of Article 252 of the Constitution, the Odisha Legislative Assembly, in its meeting held on dated 18th February, 2025 has resolved that "the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act 1993" be repealed with effect from dated 6th December, 2013 i.e. that date from which "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 has come into force;

Now, therefore, the said Resolution as passed by the Odisha Legislative Assembly on the 18th day of February 2025 is hereby published for general information.

RESOLUTION

WHEREAS, Parliament had passed the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 (46 of 1993) providing for the prohibition of employment of manual scavengers as well as construction or continuance of dry latrines and for the regulation of construction and maintenance of water-seal latrines;

AND, WHEREAS, the said Act applied in the first instance to the whole of the State of Andhra Pradesh, Goa, Karnataka, Maharashtra, Tripura and West Bengal and to all the Union Territories and also to such other State which adopts the said Act by a Resolution passed in that behalf under clause (1) of article 252 of the Constitution of India;

AND, WHEREAS, in exercise of the powers conferred by clause (1) of Article 252 of the Constitution, the Odisha Legislative Assembly in its meeting held on dated 25th July, 1994 had resolved that the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 passed by the Parliament be adopted in the State of Odisha;

AND, WHEREAS the said Resolution passed by the Odisha Legislative Assembly on the dated 25th July, 1994 was published by the Government in Housing and Urban Development Department in the *Odisha Gazette* Notification No.1100, dated the 15th September, 1994 for general information;

AND, WHEREAS the Parliament has subsequently passed "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act 2013 (25 of 2013)" providing for prohibition of employment as manual scavengers, rehabilitation of manual scavengers and their families which has come into force with effect from dated 6th December, 2013;

AND, WHEREAS, "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act 2013 (25 of 2013)" has been republished by the Law Department in the *Odisha Gazette* Notification No.680, dated the 21st April, 2014 for general information;

AND, WHEREAS, after enactment of “The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act 2013”, “The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993” (46 of 1993) has become redundant;

This has been approved by the Cabinet on dated 3rd January, 2025.

NOW, THEREFORE, in exercise of the powers conferred by clause (2) of the article 252 of the Constitution of India, this Assembly hereby resolves that “The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993”(46 of 1993) be repealed with effect from dated 6th December, 2013 i.e. the date from which “The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act 2013’(Act 25 of 2013) has come into force.

By order of the Governor

USHA PADHEE

Principal Secretary to Government